IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Habeas Corpus Petition No. 19 of 2006

Sushil Prakash S/o Sri Padi Ram,
Village Fagpur, Post Office Chandani,
Village Banbasa, District Champawat.

……. Petitioner

Versus

1. State of Uttaranchal
   Through Secretary Home,
   Dehradun, Uttaranchal.
2. Smt. Shalini Prakash
3. S.S.P., Pithoragarh
4. S.H.O., Pithoragarh
5. Smt. Subhadra Sharma
   W/o Sri Ashok Kumar
6. Sri Ashok Kumar Sharma
   S/o Shiv Kumar Sharma
   R/o Soil Conservation, Vikas Bhawan,
   Pithoragarh.
7. Santosh Kumar Sharma
   S/o Shiv Kumar Sharma
   R/o Post Office & Village Malikapur,
   Semli Tehsil Thakurdwara,
   District Moradabad, U.P.
8. Subhash Sharma S/o Shiv Kumar Sharma,
   Commission Agent, Hussainpur,
   J.P. Nagar, U.P.

……. Respondents

Mr. Prabha Noliyal, Advocate for the petitioner.
Mr. Rajendra Dobhal, Advocate for the respondent No. 5, 6 & 8.
Mr. Lalit Verma, A.G.A. for the State.

Hon'ble Prafulla C. Pant, J.

Learned counsel for the parties are present.

2) Respondent No. 2 Smt. Shalini Prakash, is present in person, before this Court.

3) This Court examined from respondent No. 2, if she is forcibly compelled to live with her parents, or not? In reply to that query, respondent No. 2 Smt. Shalini Prakash replied that she is not compelled to live with her parents, but she admits that she is married to the petitioner Sushil Prakash.

4) Since, the respondent No. 2 has stated before this Court that she is not made to live against her wishers by respondent Nos. 6 to 8, therefore, the petition is dismissed with the observation that respondent No. 2, being major, is free to live with her parents or her husband, as she likes. Being major she is set at liberty.

5) The Habeas Corpus Petition stands disposed of. (The stay application No. 1453 of 2006, also stands, disposed of)

(Prafulla C. Pant, J.)

Dt. 22nd September, 2006
H.Negi